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ABSTRACT

The issues of accountability, conflict, and academic freedom in higher education and the relationship between institutions and state coordinating boards (governing boards, voluntary and compulsory coordinating boards, and planning agencies) are addressed. The causes and nature of the inherent conflict between state coordinating bodies and postsecondary institutions are discussed, with reference to the goals and values of each sector. Both institutions and boards have legitimate claims on many of the same or similar postsecondary powers. It is suggested that if both sides would recognize the other's legal authority, both parties might develop a more conciliatory attitude toward the other. Because all decisions regarding state-institutional relations are value laden, there is a need to seek a balance between the differences between the two groups. Values basic to state agencies are the efficient use of resources and the promotion of institutional responsiveness. Institutions insist that they must be left alone if they are to satisfy such purposes as the critical evaluation of society and the transmission and advancement of learning and wisdom. Institutions want both academic freedom and institutional autonomy. A typical accountability question being asked by state boards is the cost to produce one baccalaureate degree. Holding organizations and their actors accountable for performance is one of the prime purposes of managerial control or accountability. An attempt is made to identify the proper areas of power and authority for states and institutions, and a hypothetical case study is presented for discussion purposes. (SW)

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ACCOUNTABILITY, CONFLICT, AND ACADEMIC FREEDOM IN HIGHER EDUCATION

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SESSION III

ACCOUNTABILITY, CONFLICT, AND ACADEMIC FREEDOM IN HIGHER EDUCATION

Larry L. Leslie

As you know, I have been asked to discuss with you the topic of accountability and conflict in postsecondary education. That such a topic would be assigned, suggests to me that a problem or potential problem exists in regard to accountability between the institutions and the state coordinating boards. And incidentally, in my discussion, I will use the terms state coordinating boards, state boards or simply boards in the generic sense to refer to governing boards, voluntary and compulsory coordinating boards and planning agencies. Of course, there is a problem or at least a potential problem, and we all know it.

We may not all know, however, precisely why the problem or conflict, or perhaps I should say potential conflict, between institutions and boards exists. Shedding some light on that subject will be one of my purposes here this morning.

Further, it is even less likely that we all know how to solve this problem. I suppose some would say there is no solution, and in an absolute, as opposed to a relative sense, I would say they are correct. Nevertheless, there clearly are things that can be done to reduce this perhaps inherent conflict between boards and institutions. And I take this to be my second purpose here today.

Let me begin then by outlining the course my discussion will take. I will begin by discussing the causes and nature of the inherent conflict between state coordinating bodies and institutions of post-secondary education. In so doing, I will make mention of the missions and goals of each sector. I will introduce some perspectives, the understanding of which should serve as a base for a much more positive relationship between state agencies and institutions. This will be a somewhat abstract, though I think intriguing, discussion focusing upon questions of values and how those values are translated into board and institutional purposes. Then, third, we will get down to particulars. Here I will try to point out some specific do's and don't's. In other words, I will attempt to be concrete. I will try to suggest how positive strategies for state planning and coordination flow naturally from steps 1 and 2: That is, how an understanding and appreciation for the inherent conflict between boards and institutions, and an understanding and appreciation for the underlying values of both organizations

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3. Ibid., p. v.

4. Ibid., p. vi.

5. The issue of approval is treated here only briefly. For a more complete assessment, see Richard Granat's study for the National Institute of Education on Legal Policy Constraints to the Development of External Degree Programs, January, 1975. ERIC report number HE006323.

lead to specific positive actions. I think it will be seen that the actions of state boards can be guided by a clear set of principles about which most, if not all of us, can agree.

So on to step 1. Is there really an inherent conflict between state boards and postsecondary institutions? If so, why does it exist? Why is it important to understand this conflict?

Let me begin with the last question. It is my hope and belief that an understanding of the basic conflict between boards and institutions will lead to greater tolerance for and understanding of the behaviors and attitudes of each party. Further, it is my conviction that such understanding will clearly point the way to the specific actions each organization can and should take vis-a-vis the other.

Now to the inherent causes of the conflict. The simple, basic fact is that state coordinating boards and postsecondary institutions both have legitimate claims on many of the same or similar postsecondary powers. By power I mean the ability to exert one's will on another. Note I said legitimate claims. In a considerable number of cases, state agencies and separate institutions alike have been granted at least implicit and in some cases explicit powers to act in the same areas. Some times these powers or the exercise of these powers--authority--have been awarded legally through legislation, state constitutions and institutional charters; or quasi-legally through delegated powers, administrative codes and executive orders. Sometimes these powers, though they are exercised, have not been awarded at all, but are assumed by accident or by default. Such was the case in Illinois, where the higher education budget recommendations of the coordinating board came to be accepted almost verbatim by state government and, incidentally, as a result the institutions learned to act accordingly. Or in other states, such as New Mexico and Ohio where boards have used the power of budget review to induce desired actions on the parts of institutions.

Allow me to give just one complete example. At the Penn State Center, our recent study of postsecondary policy formation for the Governor's Commission in Maryland turned up a number of cases of overlapping and competing powers. Most of this overlapping occurred among the agencies of the state government, such as among the Department of Budget and State Planning, the various State Boards for each Postsecondary Sector and the Maryland Council for Higher Education, but there existed also great overlap or conflict between the powers of the state agencies and the separate institutions. The most notable case would be that concerning the Maryland Council for Higher Education--the State Postsecondary Coordinating body--and the University of Maryland. To be specific, the "Autonomy Act," as it is known in Maryland, an act of the legislature, begins as follows:

(e) Notwithstanding any other provision of law to the contrary, the Board of Regents shall exercise with reference to the University of Maryland, and with reference to every department of same, all the powers, rights, and privileges that go with the responsibility of management, including the power to conduct or maintain such departments or schools in said university and in such localities as they from time to time may deem wise; by any other State board, bureau, department or commission, in the management of the University's affairs, with the following exceptions:

The exceptions have to do with such matters as state auditing, deposit of University income in the State Treasury and submission of the budget to the state for the purpose of gaining appropriations.

But now what does the legislation establishing the Maryland Council say? Under Duties and Functions one finds the following:

(1) Prepare programs for the orderly growth and overall development of the State system of public higher education to meet trends in population and the changing social and technical requirements of the economy;

(2) Investigate and evaluate the needs throughout the State for undergraduate, graduate and adult education for professional and technical training and for research facilities, and present plans and recommendations for the establishment and location of new facilities and programs or for major alterations in existing programs or facilities;

(3) Recommend all new degree programs at the Doctoral, Master's, Baccalaureate, and Associate levels in all public institutions;

Now the point I wish to make is not that it is impossible to reconcile these two statutes--though I would hate to try--but it is to show how reasonable persons of good will might legitimately differ as to who has the power to do what. It should be noted that situations similar to this exist in many states. Can there be any wonder why conflict occurs?

In sum of this first of my three parts, there is an inherent conflict between state coordinating agencies and postsecondary institutions, and the views of both sides are legitimate. They are legitimate not only for rational, forensic reasons, but also for legal and quasi-legal reasons. In some, if not in most areas, both sides can claim the authority to act, and they can do so without overstepping their legal bounds. This realization should lead both parties to a more conciliatory attitude toward the other.

The second part of my outline had to do with the imparting to you of certain perspectives or values. Again, my purpose is not to argue the superiority of any position or set of values over any other but it is rather to increase your awareness of the legitimacy of both state

agency and institutional views. This brand of legitimacy, however, is rational rather than legal or quasi-legal. It necessitates your acceptance of the merit of certain values that seem to guide board and institutional spokesmen as they believe vis-a-vis the other. In other words, it requires your acceptance of a set of assumptions concerning the worthiness of certain values, attitudes, perspectives, concerning the nature and purpose of postsecondary education in the United States, specifically, and in Western Civilization, generally. But you should be forewarned that if you accept the legitimacy of these values, you may necessarily, according to the rules of fair play, have to alter your views concerning the appropriate relationship between state coordinating boards and postsecondary institutions.

The first recognition that I want to force you to is that ultimately all decisions regarding state-institutional relations are value laden. As Abraham Maslow put it, "all the social sciences are value laden; unlike the physical sciences, they are not value free."

This is a fact that is difficult for most of us, who pride ourselves in our esoteric knowledge, rationality and good judgement, to recognize. Maslow is right, of course; in the end all decisions in the social sciences are value based. But we seldom approach decision making with this point clearly in mind. Rather, in order to defend our position, we construct complex arguments, often having beautiful internal consistency, and being based upon neat compilations of facts and figures, without any thought to questioning the underlying assumptions or values of those positions. Let me clarify this point by example.

About three years ago, I served on an advisory panel of the Committee for Economic Development for the purpose of advising the Trustees on that now famous policy statement, or infamous, depending upon your values, The Management and Financing of Colleges. You will remember that it was this document that called for public college tuitions to be raised to 50% of instructional costs. Well, the controversy this project engendered was unbelievable--both within the CED during the period of the formulation of the document, and afterwards inside and outside the CED. The point that became totally clear only much later was that the reason a consensus on financing policy could not be achieved had nothing at all to do with the cogency of the arguments. The simple fact was that the values of the parties to the conflict differed. Some of us held the view that the financing policies of higher education must serve all its various purposes, while for others the priority if not single goal was income redistribution in the larger society through equality of educational opportunity. And we could never agree with each others' beautifully constructed arguments because we did not accept the premises. To this day, the strong differences remain; if anything the chasm between the factions is wider than ever.

Well, what are the competing values in regard to statewide coordination and accountability? On the state agency side, I would say that the values basic to the establishment and maintenance of these bodies are essentially two: the efficient use of resources and the promotion of institutional responsiveness. Perhaps these two values could be summarized in one work: accountability.

I need not recapitulate, for a group such as this, the ubiquitous statistics showing the tremendous growth of postsecondary education during what is now referred to as the "golden years" of higher education. During this period almost any institution could start up almost any new program or even any new campus, with relatively few questions being raised by the public's representatives. So long as there were more students than places it was unlikely that resources would be wasted no matter how or where they were spent. Each new program offered or new campus begun was filled almost immediately with willing students. The economy of scale principle was an assumed fact. Only in a relatively small number of states was serious concern given to where the system was going and what form it would eventually take. Postsecondary education was being largely responsive to the public need of educating the great masses of children of the rising middle class.

The explanation for this nobless oblige attitude on the part of the public and their representatives, however, involved more than the mere demonstration of need for more and better postsecondary facilities and resources. Equally important was the priority mandate given to postsecondary education. In short, there were relatively few forces competing as priorities for public monies. The Korean War was recently behind us, and national defense could be relegated to lower priority. Further, "The Great Society" was not yet upon us and thus there was not yet the great pressure that would soon emerge for public dollars to meet domestic social needs. Yet, the Nation was prospering. The precipitous rise in the GNP and in disposable income meant that federal, state and individual and family dollars for postsecondary education were available in amounts seldom equaled.

At the dawning of a new decade in 1970, when most of us involved in postsecondary education were still conducting business as usual, a few scattered voices were telling us that conditions someday would change. Only a year or two later we awakened to find that the balloon had already burst. Higher education was no longer public priority numbe: one. Enter the era of strongly mandated state coordination and control of institutions of postsecondary education.

Postsecondary education had, almost without notice by many academics, gradually become a lower public priority. Greatly increased expenditure for the Vietnam War and especially for public transfer payments had greatly reduced the public priority for post-

secondary education. Further, the job of educating the masses was seen by many as a mission accomplished, as millions of new students filled the college campuses.

The legitimate public concern was for postsecondary accountability in the expenditure of public resources and in the nature of the products those resources were buying. In short, the public was demanding efficiency and a new responsiveness on the part of postsecondary education. "Unnecessary duplication" would no longer be tolerated; nor would the self indulgences of effete faculties. The futuristic disclosure that postsecondary institutions would someday be graduating more students than society could put to productive use added to the public clamor; but the fact that finally and completely signaled the end of an era has been the realization during the past year or two that college graduates have in fact been eventually going without jobs.

Set against these values of efficiency and responsiveness, or accountability--values that are the legitimate underpinnings of statewide coordination--are the sometimes conflicting traditional values of colleges and universities. Many lists of such values, manifested in the form of institutional purposes, have been composed over the centuries, but most closely resemble that composed by the Carnegie Commission in 1973. The Commission's list consists of the following:

1. the provision of opportunities for the intellectual, aesthetic, ethical, and skill development of individual students, and the provision of campus environments which can constructively assist students in their more general development and growth;

2. the advancement of human capability in society at large;

3. the enlargement of educational justice for the postsecondary age group;

4. the transmission and advancement of learning and wisdom;

5. the critical evaluation of society--through individual thought and persuasion--for the sake of society's self-renewal.

That these two sets of values--state agency and institutional--are inherently conflicting should require little elaboration. On the one hand, statewide coordinating bodies demand--legitimately--that institutions be more responsive or accountable to the needs of society. On the other hand--and equally legitimately--the institutions insist that they must be left alone if they are to satisfy such purposes as the critical evaluation of society and the transmission and advancement of learning and wisdom.

The protections institutions insist they need can be summarized under two concepts: academic freedom and institutional autonomy. Academic freedom speaks most clearly to the fifth of the five Carnegie Commission purposes of postsecondary education: the critical evaluation of society. Presumably, I do not need to recount, for this audience, the critical role academic freedom has played throughout history in prodding the conscience of the larger society. This social conscience has been expressed when few voices outside colleges and universities were being heard, indeed when sociey almost demanded that such voices not be heard. That the germination of opposition to McCarthyism, racism, and the Vietnam War occurred within postsecondary institutions was, in my view, no chance event. This was a task society had assigned to colleges and universities and specific safeguards had been instituted in order to insure that this and certain other tasks be performed.

Institutional autonomy for the protection of academic freedom and the satisfaction of the other manifest values, or institutional purposes, was the ultimate goal of these safeguards. Institutional charters had in some cases guaranteed the freedom of private institutions from state interference. I am sure we all recall the substance of the Dartmouth College Case. In other instances actions had been taken to insure the independence of public institutions. The Autonomy Act in Maryland, already cited, would be one such action. In an even clearer illustration, it is significant to note that the drafters of several state constitutions deemed it necessary to exceed the protective shelter of legislative statutes and to assure the independence of their major public universities through constitutional guarantees. Minnesota, Michigan and California are three examples. The perceived need for these guarantees is aptly stated in a Supreme Court opinion of some years ago.

> No field of education is so thoroughly comprehended by man that new discoveries cannot yet be made. This is particularly true in the social sciences, where few, if any, principles are accepted as absolutes. Scholarship cannot flourish in an atmosphere of suspicion and distrust. Teachers and students must always remain free to inquire, to study and evaluate, to gain new maturity and understanding; otherwise our civilization will stagnate and die.

Obviously, academic freedom is not easily separated from institutional autonomy. Whereas the former is defined as the free market in ideas, institutional autonomy is defined as the power of a university or college to govern itself. Historically, the assurance of academic freedom has been found in institutional autonomy. Yet, academic freedom must be separated from institutional autonomy because in times of increasing state coordination and control some institutional autonomy clearly must be conceded to the state in the interests of the efficiency and responsiveness values. But it is not

possible to sacrifice any academic freedom. To lose some is to lose all. There is no such thing as some academic freedom any more than there is such a thing as some freedom of speech or some freedom of the press. Further, although some institutional autonomy must be given up, all cannot be. If all institutional autonomy is lost, academic freedom must ultimately be lost either directly or indirectly through state inducements or coercions. I think the same is true for some other goals. One would be goal related to research.

The assertion is that few nonacademics both understand and appreciate and thus will defend adequately, the academic freedom or social critic value; nor have they internalized most of the other higher education values. As Robert Berdahl puts it, "No one who does not love a university should be allowed to tamper with it." I have been known to say that I wonder if there are not more laymen who can judge the professional acts of physicians than there are those who can judge the acts of universities. This arrogant statement is based upon observations that have noted how very few laymen seem to understand or even be aware of all the five purposes of postsecondary education. It would seem self-evident that all five values or purposes must be nurtured, along with efficiency and responsiveness, if statewide coordinating bodies and institutions are to do their jobs.

In summary of this second part of my outline, I have attempted to impart to you two legitimate sets of values: those of state agencies and those of institutions. I have shown implicitly that these values are potentially, though not necessarily, in conflict. More responsive institutions must be sought along with the preservation of certain institutional values, the realization of which may rely in large part upon a certain degree of institutional autonomy. A delicate balance is what we seek, and it will not be achieved easily. In the words of John Gardner:

> The issues of university autonomy will never finally be solved. It can only be lived with.

Finally, then, we are at point three in my outline, where I promised to be specific on the subject of the proper relationships between state boards and institutions. Since the context of this paper is accountability, I will begin this third part with a definitional discussion of the concept. This will be useful in pointing out the existing forms accountability will take and the mechanisms available in properly and improperly holding institutions accountable. The remainder, and bulk, of this third part will itemize and discuss proper and improper actions of boards vis-a-vis institutions and vice versa.

If you had a chance to read the ERIC-AAHE monograph, "Accountability in Higher Education," by my good friend and colleague, Ken Mortimer, you are aware that there exists several forms of views of accountability in postsecondary education. All forms have some, though

I would submit, a widely varying relationship to or bearing on accountability at the state level.

There is, first of all, accountability as evaluation. Rodney Hartnett at ETS has articulated this position most clearly. According to Hartnett:

> The concept of accountability as set forth by those who would establish accountability systems in higher education focuses on the question of how much change the college produces in its students and how these changes compare with those brought about by other colleges.

In other words, the evaluator's view of accountability is rooted deeply in the "value added" concept: Given the "condition" of the "input" and the eventual "condition" of the "output" how much value has been added and how much of it can be attributed to the post-secondary experience?

This brand of accountability is not yet commonly used by state coordinating boards; nor in my view should it be. The technology is not yet adequate to the task. Further, this view of accountability is too narrow.

The evaluation strategies currently being used by state boards are based upon a somewhat different view of accountability. The typical accountability question being asked by state boards, is, for example, How much does it cost to produce one baccalaureate degree? This view considers that accountability includes considerations of efficiency, or costs per unit of output, in addition to effectiveness--the degree to which goals are accomplished. In other words, the question is not only how many students are being served, but what is the cost? Second, this view considers that accountability implies external appraisal whereas evaluation involves only internal judgments. Accountability is something somebody does to you, not something you do to yourself. Thirdly, and most importantly, accountability focuses on outputs. Inputs, e.g., the "quality" of freshmen, are largely irrelevant.

This is a legitimate question for state boards to ask. But the sequel--How does this cost compare to costs at comparable institutions--is less legitimate: The problem with this question is that comparable institutions rarely, if ever, exist.

I do not have the time nor am I prepared to defend fully this assertion here, but the most critical point to be made is that instructional missions are rarely comparable. Further, even when missions are similar, local conditions and institutional emphases, which affect costs, vary sufficiently to make comparisons largely

dysfunctional. Perhaps you will find it an adequate defense of the assertion to note that both WICHE, the Western Interstate Commission on Higher Education, and the National Commission on the Finance of Postsecondary Education--two organizations at the outset very favorably inclined to accomplish the task--largely aborted efforts to construct valid comparative measures, at least temporarily.

The second common usage of accountability identified by Dr. Mortimer is that which is more properly defined as responsibility. This kind of accountability again is not the proper domain of state coordinating boards because it involves individual freedoms. Whereas accountability is enforceable because it involves legal or formal liability on the part of individuals, responsibility is a voluntary obligation. The organization must decide either collectively or otherwise for which behaviors it will hold its citizens accountable--but the individual has the freedom, in a democracy, to decide which obligations he or she will assume--or be responsible for. This kind of accountability is a kind of personal activity that is primarily voluntary rather than compulsory--the latter being a critical component of the definition of accountability in Mortimer's view.

In an article in the June 1971 issue of the Journal of Higher Education, T. R. McConnell lists the different ways in which faculty members are held accountable: (p. 453)

> First a faculty member is accountable to his own conscience and especially to his own standards of scholarhsip and intellectual integrity. Second, faculty members are held accountable in a variety of ways to their students. Presumably, they are answerable for the effectiveness of their teaching, for fair and unprejudiced evaluation of student academic accomplishments and for maintenance of freedom and expression in the classroom. Third, faculty are also accountable to their peers. Sometimes they are answerable only informally as when other scholars appraise their research. Sometimes they are formally accountable as is the case when a faculty committee evaluates the individual's performance as a basis for appointment, promotion, tenure or nonreappointment.

A good deal of what McConnell classified as accountability, Mortimer would classify as responsibility. Yet, these are faculty activities that boards are coming to place under the rubric of accountability rather than responsibility. The increased formalization of standards of accountability towards faculty is reflected in such legislated standards as the Snyder amendment in Pennsylvania, legislated faculty workload standards that have been developed or attempted in several states (Michigan and Florida) and the increased formalization of standards of professional ethics. As I think will be seen in my discussion of the next kind of accountability, these are not legitimate actions to be taken by state governments or their agents.

The third and most extensive kind of accountability, and the kind that would appear to be most applicable to our discussion, is what Mortimer labels "managerial accountability." Managerial accountability refers to those aspects of the organization which deal with the concept of control. The optimum control situation for maximum organizational accountability is one in which rewards and sanctions are distributed so that those whose performance deviates from the plan will be punished. Now, finally, we are ready to discuss the forms that state accountability vis-a-vis postsecondary institutions should take. Holding organizations and their actors accountable for performance is one of the prime purposes of managerial control. As I have said, state accountability mechanisms, if properly conceived, are legitimate. As Bob Berdahl puts it (p. 9):

> The real issue with respect to autonomy is not whether there will be interference by the state but rather whether the inevitable interference will be confined to the proper topics and expressed through a suitably sensitive mechanism.

Berdahl, who strikes me as one who has carefully worked out the proper balance between institutional and state board values and who bases his recommendations upon a thorough knowledge of the proper functionings of both organiztions, makes the following two generalizations:

1. Most state procedural controls are more a hindrance to good higher education than they are a necessary safeguard of the public interest (p. 10).

   Berdahl reminds us that modern theories of administration hold that administrators should be granted maximum powers to implement policies and then be held accountable for results (p. 11). As proper procedural concerns of state agencies, he singles out such matters as post audits; the establishment of common budget categories and common instructional and productivity definitions (e.g., F.T.E.'s and student/faculty ratios); and standard measures of space utilization (pp. 10-11). He excludes from this list such procedural matters as tight state control of transfers among budget line-items, preaudits of authorized expenditures, centralized control over all nonacademic personnel, central control of capital outlay programs, central purchasing of supplies and equipment and central control of various administrative matters such as approval of out-of-state travel.

2. On substantive as opposed to procedural matters, Berdahl sees a more vital role for state coordinating bodies. Clearly, statewide planning, to include such items as the approval of new programs broadly defined, is one legitimate task of state boards.

Another substantive matter in which there is clearly a legitimate state role is budget consolidation and general review although the latter is perhaps the area most fraught with the potential for abuse of institutional purposes and values. It appears clear that where state boards have overstepped their proper bounds, they have done so by exercising their power of budgetary review. Boards must be made more self-conscious of how their actions in this area can, sometimes inadvertently, result in improper intrusions into the internal affairs of institutions.

Perhaps the best list of the proper tasks of state boards and of institutions was composed by the Carnegie Commission for its report, The Capitol and the Campus. First - for the states: the

1. Number of places available in state institutions as a total and in specific programs where there are clear manpower needs (e.g., medicine).

2. Number and location of new campuses.

3. Minimum and maximum size of institutions by type.

4. General admissions policy (i.e., whether open door or selective).

5. General level of institutional budgets, including construction budgets.

6. General level of salaries.

7. Accounting practices.

8. General functions of institutions.

9. Major new endeavors.

10. Effective use of resources.

11. Continued effective operation of the institutions within the general law.

But said Carnegie, the states should be restrained in the following ways:

- External budget control should be limited to the total amount of the budget and to post-audit for purposes of determining fiscal responsibility and should not involve line-item approval, involvement in budget management, or specific allocation of resources within the institution.

- Salary scales for individual classifications should not be set by external authority, nor should mix of faculty or staff at various levels be determined by external authority.

- General levels of admission may be determined externally, but external authorities should not be involved in the application of a policy to meet those levels or in the application of admission policies to individual cases.

- The hiring, firing and assignment of faculty and staff should be within the internal control of the institutions.

- While space utilization standards and maximum costs per square foot are legitimately a matter of external policy, building and equipment design should not be.

For the institution, the Carnegie list included:

1. The appointment and promotion of faculty members of administrators.

2. Determination of courses of instruction and content of courses.

3. Selection of individual students.

4. Awarding of individual degrees.

5. Selection and conduct of individual research projects, and freedom to publish and otherwise disseminate research results.

6. Freedom of inquiry.

7. Freedom of speech, assembly, and other constitutional freedoms so central to the educational process.

In this final part of my discussion, I have sought to lay out the proper areas of power and authority for the states and for the institution. The points of demarcation are seldom clear or universally applicable. Inter- and intra-state differences are often far too great. Yet, I believe that these distributions of power and authority between state boards and the institutions are for the most part consistent with the roles society has assigned to and wishes each to serve. If institutions are to continue to serve the societal values they represent and if state coordinating bodies are to do likewise, accommodations such as these must ultimately be reached between representatives of boards and of the institutions.

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Session III - Case Study

Your state legislature has implemented a public employee collective bargaining statute. As public employees, postsecondary faculty throughout the state have organized into a bargaining unit which will negotiate directly with the Postsecondary Board of Regents. The Board must formulate management's position. Historically, academic freedom has been the cornerstone of faculty/management relations. The Board wishes to retain and enhance this relationship. The following proposals have been made by the staff of the House Education Committee:

1. A minimum of 15 contact hours per faculty member per term;

2. A student-teacher ratio of 25 to 1 for undergraduate and 10 to 1 for graduate;

3. A tenure quota system which limits the total number of tenured faculty for the entire state to no more than 60 per cent of full time faculty.

Basis for Discussion

Your task as the Board of Regents staff is to evaluate each recommendation with particular attention given to its impact on faculty academic freedom vis-a-vis accountability. Prepare your position statement for the next Board meeting.